

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. Pursuant to the entry of the amendment of February 22, 2010, the status of the claims is as follows: Claims 1-10 are pending. Claims 11-18 have been cancelled.
3. The affidavits under 37 CFR 1.132 filed February 22, 2010 are sufficient to overcome the rejection of claims 1-10 based upon Komatsu.
4. The following is an examiner's statement of reasons for allowance: The rejection is overcome for the reasons set forth in applicants' amendment and incorporated herein. In particular, the examiner has provided technical reasoning based upon the reason to believe that the carbon fiber of Komatsu inherently has a herringbone structure. The affidavits submitted by applicants are sufficient to overcome the prima facie case of anticipation because they establish that mere heating does not result in the realignment of the planar layers and necessarily result in the formation of a herringbone structure.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill Gray whose telephone number is 571-272-1524. The examiner can normally be reached on M-Th and alternate Fridays 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jill Gray/
Primary Examiner
Art Unit 1794

jmg